

REMARKS

Applicant would like to express appreciation to the Examiner for the detailed Official Action provided and for the acknowledgment of Applicant's Claim for Priority and Receipt of the certified copy of the priority document in the Official Action. Applicant would also like to thank the Examiner for the withdrawal of the Restriction Requirement. Upon entry of the present paper, claims 8-14 will have been canceled without prejudice or disclaimer, with claims 1-7 pending and standing allowed. Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections in the present application. Such action is respectfully requested and is now believed to be appropriate.

Turning to the merits of the Official Action, the Examiner has rejected claims 8-14 under the judicially-created doctrine of nonstatutory obviousness-type Double Patenting. In this regard, solely in order to advance the prosecution of the present application, Applicant has canceled rejected claims 8-14, which should not be taken as an acquiescence by Applicant as to the propriety of the rejection. Further, Applicant expressly reserves the right to submit claims of a related scope in another application. Thus, the cancellation of the claims in the present application is without prejudice.

Thus, Applicant respectfully requests the Examiner to indicate the allowance of each and every pending claim in the present application.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Statement of Reasons for Allowance, mailed by the U.S. Patent and Trademark Office on December 8, 2008, along with the above-noted Official Action, Applicant wishes to clarify the record with respect to the basis for patentability of the allowable claim in the present application. In this regard, while Applicant does not disagree with the Examiner's indications that certain identified features are not disclosed by the prior art references, as noted by the Examiner, Applicant further wishes to clarify that the independent claims in the present application recite a particular combination of features, and the basis for patentability of each of these claims is further based on the particular totality of the features recited therein. The dependent claims set forth additional bases for their patentability in accordance with their recited limitations as well as in accordance with the particular limitations of the respective base claims.

SUMMARY AND CONCLUSION

In view of the above, allowance of the present application is respectfully requested and are believed to be appropriate.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Mamoru USAMI et al.

A handwritten signature in cursive script that reads "Will. Boshnick". The signature is written in dark ink and is positioned above a horizontal dashed line.

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February 9, 2009
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